

REMARKS/ARGUMENTS

Claims 8, 22 and 36 stand rejected under 35 U.S.C. 112 for lack of proper antecedents. In response to these objections Applicant has amended the claims such that claim 8 is now dependent on claim 7, claim 22 is now dependent on claim 21, and claim 36 is now dependent on claim 35. Withdrawal of these rejections is respectfully requested.

Some other claims have been amended to remove typographical or similar errors, for example the amendments in claims 52-54 changing "there between" to "therebetween". No change in the scope of these claims is intended thereby.

Various claims stand rejected as anticipated by the disclosure in JP 20013 11576 (Ogura et al). This document discloses ring-shaped members that can be fitted to the bottom portion of a refrigerator such that the lid of the refrigerator can be fitted onto one of the ring-shaped members so as to expand the volume of the refrigerator.

Claim 1 as amended herein defines the invention as:

"A compartment for augmenting available space in a chest refrigerator, said compartment comprising:

a body configured to be hingedly coupled, in use, to a chest portion of the chest refrigerator in a hermetically sealed manner such that the body may be pivoted to allow access to an inside of the chest portion, the body having a cavity therein for receiving items to be refrigerated in use, the body being arranged such that when coupled to the chest portion the cavity is refrigerated by the chest portion,

the body also having an opening for providing access to items in the cavity in use, wherein the body is arranged to be coupled to a door for covering the opening in a hermetically sealed manner (emphasis added)."

Thus, claim 1 as amended has the features of claims 1 and original claim 5 presently before the Examiner. Claim 16 has similarly been amended to include the limitation of original

claim 20. Likewise, claim 33 has been amended to add features of original claims 33 and 34.

Claims 5, 20 and 34 were not rejected as anticipated by Ogura et al. The incorporation of their features into claims 1, 16 and 33 respectively, should therefore obviate this rejection of these claims, and withdrawal is respectfully requested.

Claim 47 as amended now contains the features of original claim 49. Claim 47 now reads:

"A compartment for use with a chest refrigerator comprising:

an open bottomed body with a cavity therein, the body being arranged such that in use it is coupled to an opening of a chest portion of the chest refrigerator such that the sealing means affords a hermetic seal between the body member and the chest portion, and the cavity is cooled by the chest portion; and

a sealing means around a lower periphery of the body, wherein in use the arrangement between the body and the chest portion creates a first temperature zone in the chest portion and a second temperature zone in the cavity, the temperature of the first temperature zone being less than the temperature of the second temperature zone (emphasis added)."

Applicant submits that Ogura et al. does not disclose a chest refrigerator having this combination of features, and respectfully requests withdrawal of this rejection of claim 47.

Claims 5, 20 and 34 have been amended to define the feature that "the body is releasably coupled to the chest portion, such that the body may be detached from the chest portion". Basis for this amendment can be found in Figure 5 in which the hinges 41 on the chest portion 20 of the portable refrigerator and the compartment 10 can be releasably coupled such that the compartment 10 can be detached from the chest portion 20.

Applicant submits that there is no disclosure or suggestion in Ogura et al of the ring-shaped frame members 3b, 30 being hingedly attached to the bottom portion 3a of the body member 3. Accordingly, independent claims 1, 16 and 33 are novel over the disclosure of Ogura et al. and claims dependent on these independent claims are also novel.

Applicant submits that there is no disclosure in Ogura et al. of a compartment for use with a chest refrigerator, the compartment having an open-bottomed body with a cavity therein, in which, in use, the arrangement between the body and the chest portion creates a first temperature zone in the chest portion and a second temperature zone in the cavity. Therefore, it is submitted that independent claim 47 as amended is novel over Ogura et al.

The Examiner considers original claims 5, 20, 34, 52, 54 and 60 are unpatentable over Ogura et al. in view of U.S. patent 5,040,681 (Grusin et al.), U.S. patent 6,371,320 (Sagol) or AU-A-70275/96 (Thomas). The basis of this rejection is that while Ogura et al does not disclose hinged coupling of the body to the chest portion, this feature can be found in the other three documents.

However, Applicant disagrees with this characterization of the references, especially in view of the amendments to claims 1, 16, 33 and 47, on which these rejected claims depend.

Grusin et al. disclose a desk organiser container 10 having a plurality of vertically stackable trays 12, 14, 16 and a cover 18. Each of the trays 12, 14, 16 is provided with an aperture (48, 50, 52, respectively). Similarly, the cover 18 is provided with an aperture 54. In use, a user inserts an index finger through one or more of the apertures 48, 50, 52, 54. In this way, the user can unstack the desired number of trays to access internal compartments in a selected one of the stacked trays 12, 14, 16. However, there is no disclosure in Grusin et al. of any of the components 12, 14, 16, 18 of the organiser container 10 being hingedly coupled to another one of the components in that container. Accordingly, claims 5, 20 and 34 are not obvious over Ogura et al. in view of Grusin et al.

Sagol discloses a portable workshop consisting of three major components in stacked relation. The lower component is a wheeled bucket B, the middle component is a tray T nested within the bucket, and a commodious toolbox TB. A latching mechanism M has a function to interlock the three major components of the upper end of the assembly so as to form a unitary assembly. As described in column 4, lines 13 to 34, the latch mechanism M is operable in three modes:

Mode A: Fully latched, in which all the components (the bucket B, the tray T and the toolbox TB) are interlocked to provide a unitary assembly

Mode B: Unlatched so that the toolbox TB can be removed from the assembly. In this mode the tray T is locked to the bucket B such that a worker has access to articles in the open tray, but does not have access to the bucket B.

Mode C: The latching mechanism is unlatched such that the tray T can be withdrawn from the bucket B to allow a worker to access the contents of the bucket.

To be able to operate in these three modes, the latching mechanism M comprises a latch, double members, catchers and a hinge pin 18. Thus, the latch mechanism M allows the latch 14 to pivot to engage/disengage the catchers as required. However, there is no disclosure or suggestion of the latch mechanism (8) being used as a hinged coupling so that one of the toolbox or the tray T can be pivoted to allow access to the inside of the tray T or bucket B respectively. In contrast, it is clearly stated that to access the contents of the bucket, the tray is withdrawn from the bucket. Similarly, to access the contents of the tray, the toolbox is removed from the assembly. Therefore, there is no disclosure or suggestion of a body configured to be hingedly coupled to a chest portion of a chest refrigerator such that the body may be pivoted to allow access to an inside of the chest portion.

It therefore is submitted that claims 5, 20 and 34 are not obvious over the combined disclosure of Ogura et al and Sagol.

Thomas discloses a modular system of stackable and interlatchable thermally insulated panels that can be assembled into a vertical storage cabinet for hot or cold perishable foods or a horizontal wheelable trolley. The panels of the trolley are latched together by means of co-operating pairs of latch members (e.g. 22, 22a). These latches are shown in Figures 3 and 3A. Latches of this type cannot fulfill a hinge function since movement of either the latch or catch element will cause the latch mechanism to release and dissociate the latch element from the catch element. Applicant submits that there is no disclosure or suggestion of a hinged coupling between the panels which form the cabinet. Accordingly, claims 5, 20 and 34 are not obvious

over the combination of Ogura et al. and Thomas.

Claim 47, on which claims 52, 54 and 60 are dependent, now recites a sealing means around a lower periphery of the body, as discussed above. Again, such a feature is not shown in Ogura et al. and none of the secondary references supply it. These claims, therefore, are also not rendered obvious over this combination.

In any case, Applicant submits that the suggested combinations are not such as would have been made by those skilled in the art. It is additionally noted that none of Grusin et al., Sagol or Thomas are in the field of portable chest refrigerators. A person skilled in the art would have no motivation to seek to overcome the limitations of Ogura et al. addressed by the amended claims in the unrelated fields of these disclosures.

CONCLUSION

In view of the foregoing, Applicant believes that all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Joel G. Ackerman
Reg. No. 24,307

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
JA:ja
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